

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:12-cr-207

v.

HON. JANET T. NEFF

DENNIS JAMES FORSBERG,

Defendant.

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**MEMORANDUM OPINION AND ORDER**

Defendant Dennis Forsberg has filed a motion for modification or reduction of sentence (Dkt 271) pursuant to 18 U.S.C. §3582(c)(2) on the basis of Amendment 782 of the United States Sentencing Guidelines, made retroactive by the Sentencing Commission. The U.S. Probation Department has filed a Sentence Modification Report (Dkt 283) which finds Defendant eligible. Defendant and the Government have filed Responses (Dkts 288, 292) which agree with the conclusion of the probation department.

Section 3582(c)(2) permits a court to reduce the term of imprisonment of a defendant who has been sentenced based on a sentencing range that has subsequently been lowered by the Sentencing Commission. 18 U.S.C. § 3582(c)(2). Amendment 782 of the United States Sentencing Guidelines reduced by two levels the offense levels assigned to the quantities that trigger the statutory mandatory minimum penalties in U.S.S.G. §§ 2D1.1 and 2D1.11. These modifications were made retroactive effective November 1, 2014. U.S.S.G. § 1B1.10.

Having fully considered the Sentence Modification Report (Dkt 283) and the Responses (Dkts 288, 292), the Court has determined that the defendant is entitled to a reduction of sentence pursuant to the policy statements of the U.S. Sentencing Commission.

Therefore, IT IS HEREBY ORDERED that Defendant's motion for modification of sentence (Dkt 271) pursuant to 18 U.S.C. § 3582(c)(2) is GRANTED.

DATED: July 14, 2015

/s/ Janet T. Neff  
JANET T. NEFF  
United States District Judge